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AMENDED IN ASSEMBLY MAY 20, 1997
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AMENDED IN ASSEMBLY APRIL 14, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1043

**Introduced by Committee on Revenue and Taxation (~~Caldera~~
(*Assembly Members Caldera* (Chair), Alquist, Aroner,
Knox, Machado, and Papan)**

February 27, 1997

~~An act to amend Sections 6203, 6907, and 7102 of, to add Section 6830.5 to, and to add and repeal Article 2.5 (commencing with Section 7076.1) of Chapter 8 of Part 1 of Division 2 of, the Revenue and Taxation Code, An act to amend Section 8102 of, and to add Sections 6830.5 and 7284.6 to, the Revenue and Taxation Code, relating to taxation.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1043, as amended, Committee on Revenue and Taxation. ~~Sales and use taxes~~ *Taxation*.

(1) ~~The Sales and Use Tax Law imposes a tax upon the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property, and requires every retailer engaged in business in this state, as specified, to collect the tax that is imposed on the sale of tangible personal property from the purchaser of that~~

~~tangible personal property. For purposes of this collection requirement, a “retailer engaged in business in this state” is expressly defined to include, among others, (a) any retailer who, pursuant to a contract with a broadcaster or publisher located in this state, solicits orders for tangible personal property by means of advertising that is disseminated primarily to consumers located in this state and only secondarily to bordering jurisdictions; and (b) any retailer who, pursuant to a contract with a cable television operator located in this state, solicits orders for tangible personal property by means of advertising that is transmitted or distributed over a cable television system in this state.~~

~~This bill would delete these retailers from the definition of a “retailer engaged in business in this state.”~~

~~(2) Existing law requires that interest on any overpayment of sales and use taxes be paid from the first day of the calendar month following the month for which the overpayment was made.~~

~~This bill would, instead, require that interest on any overpayment of sales and use taxes be paid from the last day of the calendar month following the quarterly period for which the overpayment was made.~~

~~(3) The Sales and Use Tax Law authorizes the State Board of Equalization to contract with persons outside of California for the identification of persons or businesses who may owe taxes or other amounts or to contract for debt collection services with persons outside of California. Existing law allows the board to add the cost of these services to the amount to be identified or collected from the taxpayer.~~

~~This bill would also authorize the board to enter into agreements with one or more private persons, companies, associations, or corporations for the purpose of collecting taxes, interest, additions to tax, or penalties within the state, and to add the cost of the collection service to the amount to be collected from the taxpayer.~~

~~(4) The Sales and Use Tax Law permits the State Board of Equalization, if it is not satisfied with the return or returns of the tax or the amount of the tax or other amount, to compute and determine the amount required to be paid upon the basis of facts contained in the return or returns or upon the basis of~~

~~any information within its possession or that may come into its possession. Existing law permits the board or any person authorized by it in writing to examine the books, papers, records, and equipment of any person selling tangible personal property or any person liable for the use tax.~~

~~This bill would additionally authorize the board, until January 1, 2001, to determine which accounts are to be eligible for a managed audit program and would require the board to identify specified information for a person whose account is selected for a managed audit. No person would be required to participate in a managed audit program, but in the case of a liability covered by a managed audit, interest on that liability would be computed at $\frac{1}{2}$ the rate that would otherwise be imposed.~~

~~This bill would also make specified findings and declarations of the Legislature in connection with a managed audit program.~~

~~(5) The Sales and Use Tax Law provides that money in the Retail Sales Tax Fund shall be transferred, as specified.~~

~~This bill would make a technical, nonsubstantive change to those provisions.~~

~~(6) Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are incorporated into the local taxes.~~

~~Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.~~

~~This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.~~

(2) The Sales and Use Tax Law provides, subject to certain exceptions, that it is unlawful for the State Board of Equalization, or certain persons having an administrative duty under that law or access to information with respect to sales or transactions and use taxes collected by that board, to make known or allow the disclosure or examination of certain information or documents.

This bill would, as provided, make it unlawful for any local jurisdiction imposing a utility tax, or certain persons with duties on behalf of that jurisdiction or access to information with respect to that tax, to make known or allow the disclosure or examination of certain information or documents. This bill would specify that a violation of these provisions is a misdemeanor. By creating a new crime, this bill would establish a state-mandated local program.

(3) The Motor Vehicle Fuel License Tax Law imposes a tax for the privilege of distributing motor vehicle fuel or for the privilege of storing motor vehicle fuel for sale or use in the propulsion of a motor vehicle on a highway, as specified. That law provides that certain persons who have paid a tax shall be reimbursed and repaid the amount of the tax under certain circumstances and requires that a claim for refund be supported by the original invoice showing the purchase.

This bill would instead require that a claim for refund be presented in a form prescribed by the Controller, and that upon the request of the Controller, the claimant support the claim with the original invoice showing the purchase.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 6203 of the Revenue and~~
 2 ~~Taxation Code is amended to read:~~
 3 ~~6203. Except as provided by Sections 6292 and 6293,~~
 4 ~~every retailer engaged in business in this state and~~
 5 ~~making sales of tangible personal property for storage,~~
 6 ~~use, or other consumption in this state, not exempted~~
 7 ~~under Chapter 3.5 (commencing with Section 6271) or~~
 8 ~~Chapter 4 (commencing with Section 6351), shall, at the~~
 9 ~~time of making the sales or, if the storage, use, or other~~

1 consumption of the tangible personal property is not then
2 taxable hereunder, at the time the storage, use, or other
3 consumption becomes taxable, collect the tax from the
4 purchaser and give to the purchaser a receipt therefor in
5 the manner and form prescribed by the board.

6 As respects leases constituting sales of tangible personal
7 property, the tax shall be collected from the lessee at the
8 time amounts are paid by the lessee under the lease.

9 “Retailer engaged in business in this state” as used in
10 this section and Section 6202 means and includes any of
11 the following:

12 (a) Any retailer maintaining, occupying, or using,
13 permanently or temporarily, directly or indirectly, or
14 through a subsidiary, or agent, by whatever name called,
15 an office, place of distribution, sales or sample room or
16 place, warehouse or storage place, or other place of
17 business.

18 (b) Any retailer having any representative, agent,
19 salesperson, canvasser, independent contractor, or
20 solicitor operating in this state under the authority of the
21 retailer or its subsidiary for the purpose of selling,
22 delivering, installing, assembling, or the taking of orders
23 for any tangible personal property.

24 (c) As respects a lease, any retailer deriving rentals
25 from a lease of tangible personal property situated in this
26 state.

27 (d) Any retailer soliciting orders for tangible personal
28 property by means of a telecommunication or television
29 shopping system (which utilizes toll free numbers)
30 which is intended by the retailer to be broadcast by cable
31 television or other means of broadcasting, to consumers
32 located in this state.

33 (e) (1) Any retailer soliciting orders for tangible
34 personal property by mail if the solicitations are
35 substantial and recurring and if the retailer benefits from
36 any banking, financing, debt collection,
37 telecommunication, or marketing activities occurring in
38 this state or benefits from the location in this state of
39 authorized installation, servicing, or repair facilities.

~~(2) This subdivision shall become operative upon the enactment of any congressional act that authorizes states to compel the collection of state sales and use taxes by out-of-state retailers.~~

~~(f) Any retailer having a franchisee or licensee operating under its trade name if the franchisee or licensee is required to collect the tax under this section.~~

~~(g) Notwithstanding Section 7262, a retailer specified in subdivision (d), (e), or (f) above, and not specified in subdivision (a), (b), or (c) above, is a “retailer engaged in business in this state” for the purposes of this part and Part 1.5 (commencing with Section 7200) only.~~

~~(h) (1) For purposes of this section, “engaged in business in this state” does not include the taking of orders from customers in this state through a computer telecommunications network located in this state which is not directly or indirectly owned by the retailer when the orders result from the electronic display of products on that same network. The exclusion provided by this subdivision shall apply only to a computer telecommunications network that consists substantially of on-line communications services other than the displaying and taking of orders for products.~~

~~(2) This subdivision shall become inoperative upon the earlier of the following dates:~~

~~(A) The operative date of provisions of a congressional act that authorize states to compel the collection of state sales and use taxes by out-of-state retailers.~~

~~(B) The date five years from the effective date of the act adding this subdivision.~~

~~SEC. 2.—~~

~~SECTION 1. Section 6830.5 is added to the Revenue and Taxation Code, to read:~~

~~6830.5. For the purpose of collecting taxes, interest, additions to tax, or penalties, the board may enter into agreements with one or more private persons, companies, associations, or corporations providing these services within this state. The agreement may provide, at the discretion of the board, the rate of payment and the manner in which compensation for services shall be paid.~~

1 The compensation may be added to the amount required
2 to be collected by the collection agency from the tax
3 debtor. The board shall provide the necessary
4 information for the contractor to fulfill its obligation
5 under the agreement.

6 ~~SEC. 3.—Section 6907 of the Revenue and Taxation~~

7 SEC. 2. Section 7284.6 is added to the Revenue and
8 Taxation Code, to read:

9 7284.6. (a) It is unlawful for any local jurisdiction
10 imposing a utility user tax, any person having an
11 administrative duty for a local jurisdiction imposing a
12 utility user tax, or any person who obtains access to
13 information contained in, or derived from, utility user tax
14 records of a local jurisdiction, to do any of the following:

15 (1) Make known, in any manner whatever, either of
16 the following:

17 (A) The business affairs, operations, or any other
18 information pertaining to a utility or other company
19 required to report to the local jurisdiction or to pay a
20 utility user tax.

21 (B) The amount or source of income, profits, losses,
22 expenditures, or any particular thereof, set forth or
23 disclosed in any return.

24 (2) Permit any return or copy thereof, or any records
25 containing any abstract or particulars thereof, to be seen
26 or examined by any person who is not an employee or
27 agent of the local jurisdiction imposing the tax, or an
28 employee of the utility or other company required to
29 report to the local jurisdiction or to pay a utility user tax.

30 (b) For purposes of this section:

31 (1) "Local jurisdiction" means any city, county, city
32 and county, including any chartered city or city and
33 county, district, or public or municipal corporation.

34 (2) "District" means any agency of the state, formed
35 pursuant to general law or a special act, for the local
36 performance of governmental or proprietary functions
37 within limited boundaries.

38 (c) Any violation of this section is a misdemeanor and
39 is punishable by a fine not exceeding one thousand dollars

1 (\$1,000), by imprisonment in a county jail not exceeding
2 one year, or by both, in the discretion of the court.

3 (d) This section shall not be construed to prohibit the
4 divulging of information to the State Board of
5 Equalization for the purposes of its administration of the
6 Energy Resources Surcharge Law (Part 19 (commencing
7 with Section 40001) of Division 2 of the Revenue and
8 Taxation Code).

9 SEC. 3. Section 8102 of the Revenue and Taxation
10 Code is amended to read:

11 8102. The claimant of a refund shall present to the
12 Controller a claim—~~supported by~~ for refund in a form
13 prescribed by the Controller. Upon the request of the
14 Controller, the claimant shall support the claim with the
15 original invoice showing the purchase. The claim shall
16 state the total amount of the fuel purchased by the
17 claimant and the manner and the equipment in which the
18 claimant has used the fuel. The claim shall not be under
19 oath but shall contain, or be accompanied by, a written
20 declaration that it is made under the penalties of perjury.

21 SEC. 4. No reimbursement is required by this act
22 pursuant to Section 6 of Article XIII B of the California
23 Constitution because the only costs that may be incurred
24 by a local agency or school district will be incurred
25 because this act creates a new crime or infraction,
26 eliminates a crime or infraction, or changes the penalty
27 for a crime or infraction, within the meaning of Section
28 17556 of the Government Code, or changes the definition
29 of a crime within the meaning of Section 6 of Article
30 XIII B of the California Constitution.

31 Notwithstanding Section 17580 of the Government
32 Code, unless otherwise specified, the provisions of this act
33 shall become operative on the same date that the act
34 takes effect pursuant to the California Constitution.

35 Code is amended to read:

36 ~~6907. Interest shall be paid upon any overpayment of~~
37 ~~any amount of tax at the modified adjusted rate per~~
38 ~~month established pursuant to Section 6591.5, from the~~
39 ~~last day of the calendar month following the quarterly~~
40 ~~period for which the overpayment was made. However,~~

1 ~~no refund or credit shall be made of any interest imposed~~
2 ~~upon the person making the overpayment with respect~~
3 ~~to the amount being refunded or credited.~~

4 ~~The interest shall be paid:~~

5 ~~(a) In the case of a refund, to the last day of the~~
6 ~~calendar month following the date upon which the~~
7 ~~person making the overpayment, if he or she has not~~
8 ~~already filed a claim, is notified by the board that a claim~~
9 ~~may be filed or the date upon which the claim is approved~~
10 ~~by the board, whichever date is the earlier.~~

11 ~~(b) In the case of a credit, to the same date as that to~~
12 ~~which interest is computed on the tax or amount against~~
13 ~~which the credit is applied.~~

14 ~~SEC. 4. Article 2.5 (commencing with Section 7076.1)~~
15 ~~is added to Chapter 8 of Part 1 of Division 2 of the~~
16 ~~Revenue and Taxation Code, to read:~~

17
18 ~~Article 2.5. Managed Audit Program~~
19

20 ~~7076.1. The Legislature finds and declares that the~~
21 ~~mission of the State Board of Equalization in the~~
22 ~~administration and collection of taxes is to provide~~
23 ~~informative and responsive services to the taxpayer, to~~
24 ~~provide fair, firm, and uniform treatment of the taxpayer,~~
25 ~~and to perform these functions with quality and~~
26 ~~efficiency. The commitment to a philosophy of service~~
27 ~~and accountability to the public can be effectively~~
28 ~~furthered through a managed audit program. As a result~~
29 ~~of a managed audit, the taxpayer will be educated as to~~
30 ~~the proper tax treatment of the issues as well as to the~~
31 ~~failings of any internal procedures, so that the taxpayer~~
32 ~~can put into place procedures and practices that will~~
33 ~~ensure compliance in the future.~~

34 ~~The Legislature further finds that the managed audit~~
35 ~~program will permit the board to reallocate resources to~~
36 ~~revenue-generating activity and reflects an efficient~~
37 ~~approach in performing day-to-day audit work. The~~
38 ~~Legislature finds that the advantages to the state include~~
39 ~~a reduction in the number of audits subject to resolution~~
40 ~~by the administrative appeals process; a reduction in~~

1 litigation; and resolution of taxability issues as a condition
2 of the managed audit. The Legislature further finds and
3 declares that the advantages to the taxpayer include
4 taxpayer education; future tax compliance; taxpayer
5 experience with the audit process; an ongoing
6 cooperative relationship with the State Board of
7 Equalization; decreased disruption of regular business
8 activities; and resolution of the audit period. The
9 Legislature finds that the managed audit program
10 permits a person to critically examine, within the
11 timeframe specified by the board, the internal controls
12 and accounting records of its business enterprise in which
13 significant tax error could occur, and to determine the
14 correct measure of tax. The Legislature further finds that
15 the managed audit program is a logical response to
16 demands for efficient examinations without severely
17 compromising work product.

18 7076.2. The State Board of Equalization shall
19 determine, consistent with the efficient use of audit
20 resources, which accounts are to be eligible for the
21 managed audit program, provided that no person shall be
22 required to participate in the managed audit program.
23 Persons whose accounts are eligible for the managed
24 audit program shall include any person who meets all of
25 the following criteria:

26 (a) Any person who has not received written
27 notification pursuant to Section 6471 that he or she is
28 required to make prepayments of tax.

29 (b) Any person whose business involves few or no
30 statutory exemptions.

31 (c) Any person whose business involves a single or
32 small number of clearly defined taxability issues.

33 (d) Any person who agrees to participate in the
34 managed audit program.

35 (e) Any person who has the resources to comply with
36 the managed audit instructions provided by the board.

37 7076.3. (a) If a person's account is selected for a
38 managed audit, the person shall review and examine the
39 books, records, and equipment to determine any
40 unreported liability for the audit period, and make

1 available all computations and records reviewed for
2 verification by the board. The board shall identify for the
3 person all of the following:

4 (1) The audit period covered by the managed audit.

5 (2) The types of transactions covered by the managed
6 audit.

7 (3) The specific procedures the person is to follow in
8 determining any liability.

9 (4) The records to be reviewed by the person.

10 (5) The manner in which the types of transactions are
11 to be scheduled for review.

12 (6) The time period for completion of the managed
13 audit.

14 (7) The time period for the payment of the liability
15 and interest.

16 (8) Any other criteria as the board may require for
17 completion of the managed audit.

18 (b) The information provided by the person shall be
19 the same information that is required for the completion
20 of any other audit that the board may conduct.

21 7076.4. Nothing in this article shall limit the board's
22 authority to examine the books, papers, records, and
23 equipment of a person under Section 7054.

24 7076.5. Upon completion of the managed audit and
25 verification by the board, interest shall be computed at
26 one-half the rate that would otherwise be imposed for
27 liabilities covered by the audit period. Payment of the
28 liabilities and interest shall be made within the time
29 period specified by the board. If the requirements for the
30 managed audit are not satisfied, the board may proceed
31 to examine the records of the person in a manner to be
32 determined by the board.

33 7076.6. The provisions of Section 6596 shall not apply
34 to a managed audit conducted pursuant to this article.

35 7076.7. This article shall remain in effect only until
36 January 1, 2001, and as of that date is repealed; however,
37 any managed audit commenced pursuant to Section
38 7076.3 before January 1, 2001, may be completed by the
39 board thereafter and the person whose account is audited

1 shall remain eligible for the interest rate computation
2 specified in Section 7076.5.

3 SEC. 5. Section 7102 of the Revenue and Taxation
4 Code is amended to read:

5 7102. The money in the fund shall, upon order of the
6 Controller, be drawn therefrom for refunds under this
7 part, and pursuant to Section 1793.25 of the Civil Code, or
8 be transferred in the following manner:

9 (a) (1) All revenues, less refunds, derived under this
10 part at the $4\frac{3}{4}$ percent rate, including the imposition of
11 sales and use taxes with respect to the sale, storage, use,
12 or other consumption of motor vehicle fuel which would
13 not have been received if the sales and use tax rate had
14 been 5 percent and if motor vehicle fuel, as defined for
15 purposes of the Motor Vehicle Fuel License Tax Law
16 (Part 2 (commencing with Section 7301)), had been
17 exempt from sales and use taxes, shall be estimated by the
18 State Board of Equalization, with the concurrence of the
19 Department of Finance, and shall be transferred
20 quarterly to the Transportation Planning and
21 Development Account, a trust fund in the State
22 Transportation Fund.

23 (2) All revenues, less refunds, derived under this part
24 at the $4\frac{3}{4}$ percent rate, resulting from increasing after
25 December 31, 1989, the rate of tax imposed pursuant to
26 the Motor Vehicle Fuel License Tax Law on motor
27 vehicle fuel, as defined for purposes of that law, shall be
28 transferred quarterly to the Transportation Planning and
29 Development Account, a trust fund in the State
30 Transportation Fund.

31 (3) All revenues, less refunds, derived under this part
32 at the $4\frac{3}{4}$ percent rate from the imposition of sales and
33 use taxes on fuel, as defined for purposes of the Use Fuel
34 Tax Law (Part 3 (commencing with Section 8601)) and
35 the Diesel Fuel Tax Law (Part 31 (commencing with
36 Section 60001)), shall be estimated by the State Board of
37 Equalization, with the concurrence of the Department of
38 Finance, and shall be transferred quarterly to the
39 Transportation Planning and Development Account, a
40 trust fund in the State Transportation Fund.

1 ~~(4) All revenues, less refunds, derived under this part~~
2 ~~from a rate of more than 4³/₄ percent pursuant to Sections~~
3 ~~6051.1 and 6201.1 for the period December 1, 1989, to June~~
4 ~~5, 1990, inclusive, shall be transferred to the Disaster~~
5 ~~Relief Fund created by Section 16419 of the Government~~
6 ~~Code.~~

7 ~~(5) All revenues, less refunds, derived under this part~~
8 ~~from a rate of more than 4³/₄ percent pursuant to Sections~~
9 ~~6051.1 and 6201.1 for the period June 6, 1990, to December~~
10 ~~31, 1990, inclusive, which is attributable to the imposition~~
11 ~~of sales and use taxes with respect to the sale, storage, use,~~
12 ~~or other consumption of tangible personal property other~~
13 ~~than fuel, as defined for purposes of the Use Fuel Tax Law~~
14 ~~(Part 3 (commencing with Section 8601)), shall be~~
15 ~~transferred to the Disaster Relief Fund created by~~
16 ~~Section 16419 of the Government Code.~~

17 ~~(6) All revenues, less refunds, derived under this part~~
18 ~~from a rate of more than 4³/₄ percent pursuant to Sections~~
19 ~~6051.1 and 6201.1 for the period June 6, 1990, to December~~
20 ~~31, 1990, inclusive, which is attributable to the imposition~~
21 ~~of sales and use taxes with respect to the sale, storage, use,~~
22 ~~or other consumption of fuel, as defined for purposes of~~
23 ~~the Use Fuel Tax Law (Part 3 (commencing with Section~~
24 ~~8601)), shall be transferred to the Disaster Relief Fund~~
25 ~~created by Section 16419 of the Government Code.~~

26 ~~(7) All revenues, less refunds, derived under this part~~
27 ~~from the taxes imposed pursuant to Sections 6051.2 and~~
28 ~~6201.2 shall be transferred to the Sales Tax Account of the~~
29 ~~Local Revenue Fund for allocation to cities and counties~~
30 ~~as prescribed by statute.~~

31 ~~(8) All revenues, less refunds, derived under this part~~
32 ~~from the taxes imposed pursuant to Sections 6051.6 and~~
33 ~~6201.6 shall be transferred to the Interim Public Safety~~
34 ~~Account in the Local Public Safety Fund created in~~
35 ~~Section 30051 of the Government Code for allocation to~~
36 ~~counties as prescribed by statute.~~

37 ~~(9) All revenues, less refunds, derived from the taxes~~
38 ~~imposed pursuant to Section 35 of Article XIII of the~~
39 ~~California Constitution shall be transferred to the Public~~
40 ~~Safety Account in the Local Public Safety Fund created~~

~~1 in Section 30051 of the Government Code for allocation
2 to counties as prescribed by statute.~~

~~3 (10) An amount equal to all revenues, less refunds,
4 derived under this part at a $4\frac{3}{4}$ percent rate for the
5 period between January 1, 1994, and July 1, 1994, from the
6 increase in sales and use tax revenue attributable to the
7 increase in the rate of the federal motor vehicle fuel tax
8 between January 1, 1993, and the rate in effect on January
9 1, 1994, shall be estimated by the State Board of
10 Equalization, with the concurrence of the Department of
11 Finance, and an amount equal to that amount, but not
12 exceeding seven million five hundred thousand dollars
13 (\$7,500,000) shall be transferred from the Retail Sales Tax
14 Fund to the Small Business Expansion Fund created by
15 Article 5 (commencing with Section 14030) of Chapter 1
16 of Part 5 of Division 3 of Title 1 of the Corporations Code.~~

~~17 (b) The balance shall be transferred to the General
18 Fund.~~

~~19 (c) The estimates required by subdivision (a) shall be
20 based on taxable transactions occurring during a calendar
21 year, and the transfers required by subdivision (a) shall
22 be made during the fiscal year that commences during
23 that same calendar year. Transfers required by
24 paragraphs (1), (2), and (3) of subdivision (a) shall be
25 made quarterly.~~

~~26 (d) Notwithstanding the designation of the
27 Transportation Planning and Development Account as a
28 trust fund pursuant to subdivision (a), the Controller may
29 use the Transportation Planning and Development
30 Account for loans to the General Fund as provided in
31 Sections 16310 and 16381 of the Government Code. The
32 loans shall be repaid with interest from the General Fund
33 at the Pooled Money Investment Account rate.~~

~~34 (e) The Legislature may amend this section, by statute
35 passed in each house of the Legislature by rolleall vote
36 entered in the journal, two-thirds of the membership
37 concurring, if the statute is consistent with, and furthers
38 the purposes of this section.~~

~~39 SEC. 6. Notwithstanding Section 2230 of the Revenue
40 and Taxation Code, no appropriation is made by this act~~

1 ~~and the state shall not reimburse any local agency for any~~
2 ~~sales and use tax revenues lost by it under this act.~~

3 _____

4 CORRECTIONS

5 Text — Page 6.

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